IN THE CIRCUIT COURT
FOR THE CITY OF NORFOLK
At Law

Docket No. 6880-M

MARIE K. GRAY PORTER,
Plaintiff,

vs.

ROBERT GRAHAM GRAY,
Defendant.

ANSWER TO INTERROGATORIES

Marie K. Gray Porter, Plaintiff, in Answer to Interrogatories, propounded by the Defendant, respectfully says:

One, Copies of Original Bill of Complaint, Order of Publication, Oral Memorandum of Court, exemplified under Act of Congress are hereto attached.

Two, Answering interrogatory No. Five, which reads: "State the date and place of the Plaintiff's remarriage," says:

Plaintiff was remarried on August 13th, 1962, in Frostburg, Allegany County, Maryland.

/s/MARIE K. GRAY PORTER

STATE OF MARYLAND, COUNTY OF ALLEGANY

TO WIT:

I HEREBY CERTIFY that on this first day of April, 1963, before me, the subscriber, a Notary Public,

in and for the State and County aforesaid, personally appeared Marie K. Gray Porter, personally known to me, and did subscribe the aforegoing interrogatories in my presence, and further make oath in due form of law, that the matters, facts, and things, therein avered are true and correct, to the best of her knowledge, information and belief.

In testimony whereof, I have hereunto set my hand and affixed my notarial seal, the day and date 1st above written.

/s/

Notary Public

My Commission expires in May of 1963

Marie K. Gray	: No.: 24422 Equity
vs.	: In the Circuit Court
Robert Graham Gray	: For Allegany County

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Oratrix, complaining says:

FIRST: That on the first day of April 1929, she was married to one Robert Graham Gray, with whom she resided in the town of Midland, Allegany County, Maryland, until the fifteenth day of November, 1952

SECOND: That, although the conduct of your ORATRIX towards her husband, the said Robert Graham Gray, has always been kind, affectionate and above reproach, the said Robert Graham Gray, has, without just cause or reason, abandoned and deserted her,

and has declared his intention to live with her no longer, that such abandonment has been continuous and uninterrupted for the last eighteen months, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation.

THIRD: That, your ORATRIX and the said Defendant, Robert Graham Gray, have had one son born to them from said marriage, who is more than twenty-one years of age, and is an adult.

FOURTH: That, her said husband, the said Robert Graham Gray, is engaged in business in the State of Virginia, and that your ORATRIX requests that a reasonable allowance be made to her through the Court by way of permanent alimony.

FIFTH: THAT, your ORATRIX has been a resident of Allegany County, Maryland, for more than one year next preceeding the filing of her BILL of Complaint herein.

TO THE END, THEREFORE:

(1) That, your Oratrix may be divorced A VINCULO MATRIMONII from said Robert Graham Gray, her husband.

(2) That, your Oratrix may be declared to be entitled to receive, by way of alimony, such an allowance of her said husband's estate as may be proportionate to the means and situation in life of her said husband.

(3) That, your Oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix an Order of Publication, directed to the said Robert

Graham Gray, the Defendant, giving him notice of the object and purpose of this suit and warning him to be and appear in this Court in person, or by Solicitor, on or before the day named therein, and answer the premises and abide by and perform such a decree as may be proper in the premises.

And as in duty bound, etc.

/s/PAUL M. FLETCHER
Solicitor for Complainant

/s/MARIE K. GRAY

STATE OF MARYLAND, COUNTY OF ALLEGANY

TO-WIT:

I HEREBY CERTIFY, That on this 3rd day of February, 1956, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Marie K. Gray, who made oath in due form of law that the matters, facts and things contained in the aforegoing Bill of Complaint are true and correct to the best of her knowledge, information and belief.

WITNESS my Hand and Notarial Seal the day and year above written.

/s/MARION HULL
Notary Public

LAW OFFICE OF PAUL M. FLETCHER

MARIE K. GRAY vs. ROBERT GRAHAM GRAY; No. 24422 Equity, in the Circuit Court for Allegany County, Maryland.

ORDER OF PUBLICATION

The object of this suit is to obtain a divorce A VINCULO MATRIMONII by the Plaintiff from the Defendant.

The BILL states that the parties hereto were married on April 1, 1929, at Jeannette, Pennsylvania, and the Plaintiff has resided at Midland, Maryland, for more than three years next preceeding the filing of her BILL of Complaint, and that one child was born of said marriage, who is now an adult; that the Defendant, on or about the 15th day of November, 1952, deserted and abandoned the Complainant, and declared his intention to live with her no longer, and that she has neither seen nor heard from him since that time, and that such desertion and abandonment has been continuous and uninterrupted for more than eighteen (18) months prior to the bringing of this suit, and is deliberate and final, without any reasonable hope of reconciliation, and that the Plaintiff asks for permanent alimony, and that the Defendant. Robert Graham Gray, is a resident of Oceana, Virginia.

IT IS THEREUPON, This 6th day of February, 1956, by the Circuit Court for Allegany County, Maryland, in Equity, ordered that the Plaintiff cause a copy of this order to be published in some newspaper, once in each of four successive weeks, before the 7th day of March, 1956, giving notice to the Defendant of the ob-

ject and purpose of this suit, and warning him to be and appear in this Court in person, or by Solicitor, on or before the 23rd day of March, 1956, to show cause, if any he may have, why a decree should not be passed as prayed.

/s/JOSEPH E. BODEN
Clerk of the Circuit Court for Allegany County, Maryland

MARIE K. GRAY	:	No. 24422 Equity
vs.	:	In the Circuit Court
ROBERT GRAHAM GRAY	:	For Allegany County,
	:	Maryland

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Marie K. Gray, by Paul M. Fletcher, her attorney, respectfully represents:

That, heretofore, on the 6th day of February, 1956, she filed her BILL of Complaint in the above entitled cause, praying for a divorce A VINCULO MATRIMONII from the Defendant, Robert Graham Gray; Defendant was a non-resident of Allegany County, Maryland, and that service was obtained by an Order of Publication directed to the said Robert Graham Gray, Defendant, giving him notice of the object and purpose of the suit, and warning him to be and appear in this Court, in person, or by solicitor, on or before the 23rd day of March, 1956, to show cause, if any he may have, why a decree should not be passed as prayed.

That, said Defendant has not appeared in this Court in this case, either in person or by solicitor, and has filed

no answer to said BILL of Complaint, and the time in which he had the right to appear to file an answer has now expired, and your Petitioner is advised that she is now entitled to a decree PRO CONFESSO against said Defendant.

Wherefore, this Petitioner prays this Honorable Court to award a decree PRO CONFESSO against the said Defendant.

And as in duty bound, etc.

/s/PAUL M. FLETCHER
Solicitor Petitioner

ORDER OF COURT

The Defendant, Robert Graham Gray, having been duly warned by Order of Publication to appear and answer the Bill of Complaint heretofore filed, and having failed to appear thereto, it is thereupon this 11th day of April, 1956, by the Circuit Court of Allegany County, in equity, adjudged, ordered and decreed that the Bill of Complaint in this cause be, and the same is, hereby taken PRO CONFESSO against the Defendant.

/s/GEORGE HENDERSON

In the Circuit Court of the City of Norfolk, on the 24th day of June, in the year 1963.

Marie K. Gray Porter, Plaintiff,

vs. On a motion for judgment File #7374B

Robert Graham Gray, Defendant.

This day came the parties, by counsel, and upon motion of said plaintiff's counsel it is ordered that the jury

be dismissed and the case heard and determined by the Court. Whereupon it is considered by the Court that said plaintiff recover against said defendant the sum of Fifty Two Hundred Twenty Dollars ($5220.00), with legal interest thereon from August 13, 1962, till paid, together with her costs about her suit in this behalf expended, to all of which said defendant, by counsel, duly excepted.

A COPY TESTE: W. R. HANCKEL, CLERK
/s/IRMA F. VEAZEY, D. C.

FILED JULY 30, 1957

Marie K. Gray	: No. 24,422 Equity
vs.	: In the Circuit Court For
Robert Graham Gray	: Allegany County, Maryland

This cause standing ready for hearing, testimony having been taken in open Court, and the Court being of the opinion that the proof sustains the allegations contained in the Plaintiff's Bill of Complaint.

It is thereupon this 30th day of July, 1957, by the Circuit Court for Allegany County, Maryland, sitting in equity, adjudged ordered and decreed that the said Marie K. Gray, the said Plaintiff, be and she is hereby divorced A VINCULO MATRIMONII, from the said Defendant, Robert Graham Gray; and

It is further adjudged, ordered and decreed that the said Robert Graham Gray shall pay unto the said Marie K. Gray, a weekly allowance of twenty dollars ($20.00) by way of alimony for the Plaintiff, pending the further order of this Court.

And it is further adjudged, ordered and decreed that the Defendant, Robert Graham Gray, shall pay the costs of these proceedings.

/s/MORGAN C. HARRIS

EDWARD J. RYAN
Attorney and Counselor at Law
Cumberland, Maryland
Parkview 4-0140

June 12, 1963

James M. Hubbard, Esq.
Attorney at Law
Western Union Building
Norfolk 14, Virginia

Re: Robert Gray

Dear Mr. Hubbard:

I received your letter of June 11 pertaining to the divorce between Robert Gray and Marie Gray Porter.

I do not believe there is any question but that we can sell any interest in the property which Mr. Gray has in Midland to pay on account for the alimony Mr. Gray owes to his former wife.

I agree that since Mr. Gray is a non-resident we could not obtain a judgment personam against him. If Mr. Gray would be willing he could deed the property to his former wife, this in turn would save any expenses for the attachment. I would, if he will not do this, advise

that the property be sold and the matter disposed of by legal process. I do not see any sense in doing this because the divorce was granted to Mrs. Gray on July 30, 1957 and he was ordered to pay Mrs. Gray $20 per week. He would therefore owe her from July 30, 1957 to July 30, 1962, which is five years or 260 weeks, at the rate of $20 per week, or $5,200. In addition to that, there was a mortgage on the property at the time of the divorce and she made the payments on it and it is now clear. This, of course, would entitle her to an additional $1,780 or $6,980, being the full amount owed to her.

The property in question is a five-room house located in Midland. Midland is a small mining town about 20 miles from Cumberland and there are not any industries in Midland. It is almost a deserted village. There are several vacant houses on the main street some of which are condemned; some of which are boarded-up. (Mr. Hubbard)

The property would be, I believe worth approximately $2,500. My estimation of the worth of this property may be high. However, as you can see from what I have said the property is nowhere near worth the amount he owes her. She already owns a ½ interest, so his interest would be about $1,500 to $1,700. So you can realize the futility of Mr. Gray making any contest.

He was represented at the time of the trial. I sent him telegrams, letter and other forms, notifying him of the time of the trial, he did not appear so the Court went ahead without him. After the divorce was granted, I believe, he was sent a copy of the decree. He had 30 days from that time to take any action to have the decree changed but he did nothing.

Concerning the statement that he was in Cumberland on July 29th, I believe he was, but because of some engagement of the Court, the trial was continued until the 30th of July and the notice was given him but he just walked out.

I would appreciate it very much if you will let me know what Mr. Gray is going to do, if he is willing to sign a deed over to his ex-wife for the property she will sign a release. If not, we can send a copy of the decree to Norfolk and have the proceedings taken there, and have them take judgment against him for the money which he owes his former wife.

Appreciating your attention and hoping to hear from you soon.

Sincerely,

/s/EDWARD J. RYAN

EJR:yas

EDWARD J. RYAN
Attorney and Counselor at Law
Cumberland, Maryland
Parkview 4-0140
April 23, 1964

Mr. Robert Graham Gray
c/o Mellomint Medicine Co.
723 West 26th Street
Norfolk, Virginia

Dear Mr. Gray:

I am sending you herewith a copy of the proceedings filed in the Circuit Court for Allegany County, by your

former wife to enforce your obligation to pay her in accordance with the Decree of the Court, for money which you owe her under this decree.

In June of 1963, I received a letter from Mr. Hubbard, the attorney with whom you consulted. If you care to, I suggest that you see Mr. Hubbard or engage counsel here so that the matter can be closed.

Sincerely,

/s/EDWARD J. RYAN

EJR:yas

April 23, 1964

Mr. James M. Hubbard
Attorney at Law
Western Union Building
Norfolk 14, Virginia

Re: Robert Graham Gray

Dear Mr. Hubbard:

On June 11, 1963, you wrote me that you were representing Mr. Gray in the proceedings which his wife was bringing to sell a property in Midland, Maryland, on account of equity decree which she has against him.

I am enclosing herewith a copy of the attachment proceedings which have been filed this day.

If Mr. Gray would like to come and contest the matter I will be glad to see him and see if this matter can be disposed of.

I am sending a copy of this letter to Mr. Gray and if he contacts you, please get in touch with me so that the matter can be disposed of.

Sincerely,

/s/EDWARD J. RYAN

EJR:yas
CC: Graham Gray
Enc.

IN THE CIRCUIT COURT FOR
ALLEGANY COUNTY, MARYLAND

MARIE GRAY PORTER

vs.

GRAHAM GRAY

*NO: Law

GRAHAM GRAY to MARIE GRAY PORTER

Alimony per decree passed in the Circuit Court for Allegany County, Maryland, In No. 24422 Equity: Due from July 1952 to July 1962.
Ten Years at Twenty Dollars per week _____

Total: $10,400.00

STATE OF MARYLAND, ALLEGANY COUNTY, TO WIT:

I HEREBY CERTIFY THAT ON THIS _____ day of April, 1964 before me, the subscriber, a Notary Public of this State of Maryland, in and for Allegany County, personally appeared Marie Gray

Porter and did make oath in due form of law that the said Graham Gray is justly and bona fidely indebted unto her in the full and just sum of Ten Thousand Four Hundred ($10,400.00) dollars, and said affiant did further make oath that the said Graham Gray is non-resident of the State of Maryland, and his last known address is: Mr. Graham Gray, Mello-min Medicin Co., 733 West 26th Street, Norfolk, Virginia

WITNESS my hand and Notarial Seal the day and year last written

_____

Notary Public

IN THE CIRCUIT COURT FOR
ALLEGANY COUNTY, MARYLAND

MARIE GRAY PORTER *

vs. *

GRAHAM GRAY * No: _____ LAW

Mr. Clerk:

Please docket suit as above and file the enclosed account and affidavit and issue a writ of attachment to the sheriff with instructions to levy upon a property located in Midland, set forth and described in the Land Records of Allegany County, Maryland, in Liber No. 164, folio 645.

_____

Attorney for Plaintiff
Cumberland, Md., March 8, 1956

THIS IS TO CERTIFY, That the annexed Order of Publication was published in The Cumberland News a newspaper printed in the City of Cumberland, on the following dates:

February 8, 15, 22, 29, 1956.

THE TIMES AND ALLEGANIAN CO., PUBLISHERS

By SADIE BERKENBAUGH

LAW OFFICE OF PAUL M. FLETCHER

Marie K. Gray vs. Robert Graham Gray. No. 24422. Equity in the Circuit Court for Allegany County, Maryland.

ORDER OF PUBLICATION

The object of this suit is to obtain a divorce A VINCULO MATRIMONII by the Plaintiff from the Defendant.

The Bill states that the parties hereto were married on April 1, 1929, at Jeannette, Pennsylvania, and the Plaintiff has resided at Midland, Maryland, for more than three years next preceeding the filing of her Bill of Complaint, and that one child was born of said marriage, who is now an adult; that the Defendant, on or about the 15th day of November, 1952, deserted and abandoned the Complainant, and declared his intention to live with her no longer, and that she has neither seen nor heard from him since that time, and that such desertion and abandonment has been continuous and uninterrupted for more

than eighteen (18) months prior to the bringing of this suit, and is deliberate and final, without any reasonable hope of reconciliation, and that the Plaintiff asks for permanent alimony, and that the Defendant, Robert Graham Gray, is a resident of Oceana, Virginia.

IT IS THEREUPON, This 6th day of February, 1956, by the Circuit Court for Allegany County, Maryland, in Equity, ordered that the Plaintiff cause a copy of this order to be published in some newspaper, once in each of four successive weeks, before the 7th day of March, 1956, giving notice to the Defendant of the object and purpose of this suit, and warning him to be and appear in this Court in person, or by Solicitor, on or before the 23rd day of March, 1956, to show cause, if any he may have, why a decree should not be passed as prayed.

/s/JOSEPH E. BODEN
Clerk of the Circuit Court for
Allegany County, Maryland.

Trus Copy; Test:
JOSEPH E. BODEN, Clerk
Adv—Feb. No. 8-15-22-29

STATE OF MARYLAND }
COUNTY OF ALLEGANY }

I, JOSEPH E. BODEN, Clerk of the Circuit Court for Allegany County, Maryland, the same being a court of record of the aforesaid county, having by law a seal, do hereby certify that Edwin M. Horchler, Esquire, whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a Notary

Public duly commissioned and sworn and residing in said county, and was, as such, an officer of said state, duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said state, and that full faith and credit are and ought to be given to his official acts; and I further certify that I am well-acquainted with his handwriting, and verily believe that the signature to the attached certificate is his genuine signature, and that the laws of this State do not require the filing of seal impressions.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this 2nd day of April 1963.

/s/JOSEPH E. BODEN
Clerk of the Circuit Court for Allegany County, Cumberland, Maryland

---

(Certificate under Act of Congress)

MARYLAND, SCT:

I, Morgan C. Harris, Chief Judge of the Fourth Judicial Circuit of the State of Maryland, comprehending the Counties of Washington, Allegany and Garrett, do hereby certify that the aforegoing attestation of JOSEPH E. BODEN Clerk of the Circuit Court for Allegany County, Maryland, is in due form and by the proper officer.

Given under my hand at Allegany County, Cumberland, Md., this 1st day of April, 1963.

/s/MORGAN C. HARRIS

STATE OF MARYLAND, ALLEGANY COUNTY, TO WIT:

I hereby certify that the Honorable Morgan C. Harris whose genuine signature is subscribed to the aforegoing certificate, was at the time thereof Chief Judge of the Fourth Judicial Circuit of the State of Maryland, comprehending the Counties of Washington, Allegany and Garrett, duly commissioned and sworn; and that, to all acts by him done in that capacity full faith and credit are due and ought to be given as well as in Courts of Justice as thereout.

In Testimony Whereof I hereunto set my hand and affix the seal of the Circuit Court for Allegany County, at the City of Cumberland, Maryland, this 1st day of April, 1963.

/s/JOSEPH E. BAKER
Clerk of the Circuit Court for
Allegany County, Maryland.

(Certificate under Act of Congress)

MARYLAND, SCT:

I, Morgan C. Harris, Chief Judge of the Fourth Judicial Circuit of the State of Maryland, comprehending the Counties of Washington, Allegany and Garrett, do hereby certify that the aforegoing attestation of Joseph E. Boden, Clerk of the Circuit Court for Allegany County, Maryland, is in due form and by the proper officer.

Given under my hand at Cumberland, Maryland, the 4th day of October 1962.

/s/MORGAN C. HARRIS

STATE OF MARYLAND, ALLEGANY COUNTY, TO WIT:

I hereby certify that the Honorable Morgan C. Harris whose genuine signature is subscribed to the aforegoing certificate, was at the time thereof Chief Judge of the Fourth Circuit of the State of Maryland, comprehending the Counties of Washington, Allegany and Garrett, duly commissioned and sworn; and that to all acts by him done in that capacity full faith and credits are due and ought to be given as well as in Courts of Justices as thereout.

In Testimony Whereof I hereunto set my hand and affix the seal of the Circuit Court for Allegany County, at the City of Cumberland, Maryland, this 5th day of October, 1962.

/s/JOSEPH E. BODEN
Clerk of the Circuit Court for
Allegany County, Maryland.

Marie K. Gray : No. 24422 Equity

vs. : In the Circuit Court For

Robert Graham Gray : Allegany County, Maryland

DOCKET ENTRY

1957 Judy 29th Hearing before Judge Harris
STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I, Joseph E. Boden, Clerk of the Circuit Court in and for Allegany County and State of Maryland, hereby

certify that the above and aforegoing is a true copy of "Entry" entered in the above and aforegoing entitled case No. 24422 Equity in the Circuit Court for Allegany County, Maryland.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of said Circuit Court for Allegany County, at Cumberland, Maryland, this 1st day of April A. D. 1963.

/s/JOSEPH E. BODEN
Clerk

STATE OF MARYLAND, ALLEGANY COUNTY, TO-WIT:

I, Joseph E. Boden, Clerk of the Circuit Court in and for Allegany County and State of Maryland, hereby certify that the above and aforegoing is a true copy of DECREE passed and entered in the above and aforegoing entitled case, No. 24,422 Equity in the Circuit Court for Allegany County, Maryland.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of said Circuit Court for Allegany County, at Cumberland, Maryland, this 4th day of October A. D. 1962.

/s/JOSEPH E. BODEN
Clerk

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF PRINCESS ANNE

On the 12th day of November, 1954

IN THE MATTER OF:
ROBERT GRAHAM GRAY } HABEAS CORPUS.

ORDER

This matter came on this day to be heard on the petition of Robert Graham Gray for a writ of habeas corpus ad subjieiendum, on the grounds that he was illegally detained by C. Roger Malbon, Sheriff of Princess Anne County, Virginia, in the jail of said County, by virtue of a warrant of the State of Maryland, Charging said Robert Graham Gray with desertion, non-support and violation of parole, sworn against him by Marie K. Gray, and it appearing that said Marie K. Gray has not been notified of said petition, and hearing thereon, it is ordered that this matter be continued for further hearing on Monday, December 6, 1954, at 10:00 A.M., or as soon thereafter as it may be heard;

And it further ordered that the said Robert Graham Gray be released from custody on the condition that he appear at said time, and upon his giving a bond in the sum of $350.00, conditioned upon his said appearance, and upon obtaining surety on said bond approved by the Clerk of this Court, and it is further ordered that John B. James, Attorney for Petitioner, send a copy of this order by registered mail November 12th, 1954 to the said Marie K. Gray.

A Copy Teste: John V. Fentress, Clerk

By: DORIS S. HALE, D.C.

December 10th, 1954.
In The Circuit Court of Princess Anne County

In the matter of
ROBERT GRAHAM GRAY } Habeas Corpus #2256

ORDER

This day came Robert Graham Gray, by his attorney, and the Court being advised that the warrant of the State of Maryland against said Robert Graham Gray, which was the basis of this proceeding, has been withdrawn, it is ordered that this proceeding be dismissed and that the said Robert Graham Gray be discharged from custody and the bond fixed in the order entered herein on November 18, 1954, be released.

A Copy Teste: John V. Fentress, Clerk
By: RICHARD R. GARRETT, D. C.

CHARLES W. SMITH
Attorney at Law
KEYSER, WEST VIRGINIA
Telephone 2-8361
August 23, 1957

Robert Graham Gray
723 West 26th Street
Norfolk, Virginia

In Re: GRAY vs. GRAY

Dear Mr. Gray:

Monday evening following your visit to my office I made a special trip to Cumberland, Maryland, and

held a conference with a fellow attorney, C. William Gilchrist, for approximately 1½ hours. We talked about the possibilities of reopening your divorce and your chances of obtaining any relief on the theory you were put out of business in Cumberland.

The following day Mr. Gilchrist made a complete study of the record in your divorce case. Among other things he found this to be so: That the Bill of Complaint was filed February 6, 1956, and that an order of publication was legally published and a registered letter sent to you notifying you of the taking of testimony; that the testimony was taken in April on the ground of desertion; that on May 10, 1956, Ed Ryan petitioned the Court at your insistence and was able to keep the case alive and gave you opportunity to file your answer, which was done; that Judge Harris entered *his opinion on July 29, 1957,* granting your wife a divorce on the grounds of desertion; that prior to the hearing you called Judge Harris and told him that you would not be there, and this was followed up by two telegrams which arrived the morning of July 29, and requesting postponement of your case until Labor Day; that Ed Ryan, your attorney, appeared and was present at this hearing on July 29, and he appeared in your behalf; and that the Court has ordered you to pay your wife the amount of $20.00 a week for support and alimony.

You informed me that you were present on July 29, for the hearing of this case, but I suppose you were mistaken on this. It is also obvious that you voluntarily appeared in this case and answered the Bill of Complaint. This gave the Court a basis for requiring you to pay the alimony mentioned above.

Robert Graham Gray

Mr. Gilchrist and I have both went through your case thoroughly and we have reached the conclusion that your attorney did everything that he possibly could in your behalf and that you were well and capably represented. The letters which you gave me indicate this also. Therefore, we are of the opinion that you have absolutely no grounds for reopening this case, and not wishing to tax you with further fees or additional costs, we respectfully decline employment in this matter as a result of the findings of our investigation.

As to your business being ruined in Cumberland and you having to leave the City of Cumberland, we are of the opinion that you would be wasting your time if you attempted civil or criminal action, and I respectfully decline employment in that matter. I suggest that you see Mr. Risher on that matter, but I see no ray of hope.

I trust that this letter will be received in the spirit in which it is sent. It is not my desire to fight a losing battle at your expense or at my own. I am returning to you the correspondence which you left with me, and I request that you send me no further fees. Thanking you for the opportunity to be of service to you, and with regrets that I can not be of further assistance to you, I remain

Very truly yours,

/s/CHARLES W. SMITH

CWS/ef
Enclosures: Letters

Law Offices

CHARLES WESLEY RISHER

Washington, D. C.
Wall Street, New York
Rockville, Maryland

June 24, 1958
Court Square
Rockville, 3, Maryland
Dictated 6/21

Mr. Robert Graham Gray
723 West 26th Street
Norfolk, Virginia

Dear Mr. Gray:

This will confirm our telephone conversations of this date. As a result of which I have reviewed your file and find the following.

Since retaining me August 29th, 1957 and your payment of $10.00 September 29, 1957, and your payment of $40.00 October 10, 1957, I have made two trips to Cumberland.

Your record involving the F.B.I. is cleared.

Your retainer for me to enter an appeal in your divorce case was received September 4th, too late to enter such an appeal. This check was returned to you. It is not possible to retry this divorce case after you have permitted the period of appeal to expire. Nor can you sue your attorney in Cumberland because he made an appearance at your trial in your behalf.

The fact that you were represented by counsel at this trial, before I came into the case, is the same as if you were there personally. Undoubtedly you appeared in

Court, but there being some confusion as to dates. Your counsel appeared for you and this is the same as if you were in Court yourself.

With regard to the Juvenile Court Order. The fact that you made a payment of $20.00 between November 12, 1952 and December 31, 1952, acknowledged the fact that you were aware of such an order. The suspended sentence which you received October 17, 1944 was under suspension by reason of parole which you violated. A hearing was held on the same, November 29, 1944. This can be cleared only on proper showing to the Court, otherwise it will run against you until you die, or it is cleared.

Therefore with the proper showing on the divorce decree, consideration will be given to your present and continued violation of parole, and until these matters are cleared in one way or another, you are subject to arrest in the State of Maryland.

I will be glad to take whatever action you may so desire if you will advise me what you wish upon the same.

Very truly yours,

CHARLES WESLEY RISHER
IN THE

SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1967

No. 590

ROBERT GRAHAM GRAY,
Petitioner,

v.

MARIE GRAY PORTER,
(Formerly Marie K. Gray),
Respondent,

(On Petition for the use to Review the Petition forwarded from the Court of Appeals, Annapolis, Md., to the Federal Supreme Court, September 8, 1967, in the Brief in Opposition.)

* * * * *

IN THE COURT OF APPEALS OF MARYLAND
ROBERT GRAHAM GRAY,
Appellant

v.

MARIE K. GRAY, No. 238
Appellee

ORDER

The petition of Robert Graham Gray for a correction of error or omission in this cause having been reviewed and maturely considered by this court, it is

Adjudged, ordered and decreed that the Petitioner, Robert Graham Gray, be, and he hereby is, granted leave of this court to file said Petition.

IN THE COURT OF APPEALS OF MARYLAND
ROBERT GRAHAM GRAY,
Appellant

v.

MARIE K. GRAY,
Appellee

No. 238

* * * * *

PETITION FOR CORRECTION OF ERROR OR OMISSION IN RECORD

I, Robert Graham Gray, as an individual, do hereby certify that on this 9th day of January, 1967, a copy of this Petition for Correction Of Error Or Omission in Record was sent to Earl Edmund Manges, Attorney for Appellee, 220 So. Liberty Street, Cumberland, Maryland.

/s/ROBERT GRAHAM GRAY

* * * * *

IN THE COURT OF APPEALS OF MARYLAND

ROBERT GRAHAM GRAY, *Appellant*	:	
	:	No. 238
vs.	:	
MARIE K. GRAY, *Appellee*	:	September Term, 1966

* * * * *

MOTION NE RECIPIATUR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Appellee, Marie K. Gray, by Earl E. Manges, her Attorney, hereby files a Motion Ne Recipiatur as to

the Petition for Correction of Error or Omission in Record filed in these proceedings, a copy of which was mailed to the Attorney for Appellee on the 9th day of January, 1967.

/s/Earl E. Manges
EARL S. MANGES
Attorney for Appellee
120 South Liberty Street
Cumberland, Maryland
Telephone: 724-1350

I HEREBY CERTIFY, That a copy of the aforegoing MOTION NE RECIPIATUR was mailed to John C. Sullivan, Esquire, Attorney for Appellant, 14 Green Street, Cumberland, Maryland, and a copy to Robert Graham Gray, Appellant, 708 First Colonial Road, Virginia Beach, Virginia, postage prepaid, this 17th day of January, 1967:

/s/EARL S. MANGES
Attorney for Appellee

* * * * *

QUESTION PRESENTED

I. Whether or not a case in a state court in which no federal question was raised at any point in the proceedings may justify the granting of a Writ of Certiorari by this court.

Questions presented of federal issue of the said petition that I, Robert Graham Gray, the petitioner, forwarded by registered mail to Earl Edmund Manges, Attorney-at-Law; Mrs. Marie Gray; Robert Kennedy,

the United States Attorney General; and forwarded a copy to the Federal Bureau of Investigation office in Washington, D. C., dated September 10, 1962; Chife J. Edgar Hoover, Federal Bureau of Investigation; Nicholous Katzenback; The United States Attorney General, dated October 11, 1965, John Doar, Assistant, Civil Rights Division, dated October 27, 1965; John C. Sullivan, Attorney-at-Law; John Doar, Assistant, Civil Rights Division, dated November 30, 1965; J. Lloyd Young, Clerk of the Court of Appeals, Annapolis, Maryland; Chief J. Edgar Hoover, Federal Bureau of Investigation; and John C. Sullivan, Attorney-at-Law, dated February 27, 1967.

* * * * *

COURT OF APPEALS
of Maryland
Annapolis, Md. 21404

Mr. Robert Graham Gray
708 First Colonial Road
Virginia Beach,
Virginia 23451

January 20, 1967

Dear Mr. Gray:

The Court has considered your "Petition for Correction of Error or Omission in Record," filed January 9, 1967, in the case entitled *Robert Graham Gray* vs. *Marie K. Gray*, No. 238, September Term, 1966, and, for your information, said petition was denied on January 19, 1967.

Very truly yours,
J. LLOYD YOUNG, Clerk.
By: /s/JAMES H. NORRIS, JR.
Chief Deputy

JHNjr/jr
cc:Earl E. Manges, Esq.

COURT OF APPEALS OF MARYLAND

No. 238 September Term, 1966

MARYLAND, Sct:

I Hereby Certify, that on the eighth day of July nineteen hundred and sixty-six I received from the Circuit Court for Allegany County Transcript of Record to the Court of Appeals of Maryland in the above entitled cause.

Brief for Appellant due to be filed August 17, 1966.
Clerk of the Court of Appeals of Maryland

/s/J. LLOYD YOUNG

THE COURT OF APPEALS
ANNAPOLIS, MARYLAND

September 6, 1967.

NOT PROPERLY BEFORE THE COURT IN MARYLAND

The Court instructs the Jury:

If you find that the defendant, Mr. Gray was not properly before the Court in Maryland and authorized counsel did not appear in his behalf, then the Maryland Court was without jurisdiction. If you so find that the Maryland Court lacked jurisdiction then this Court instructs you that full faith and credit of that judgment does not apply in this Court and you shall find your verdict for the defendant.

I stated to you that day and date and by telephone that if this corruption was not settled by September 1,

1962 that I would forward you the details of information for a settlement of my own with Paul Fletcher and forward a copy of the transcript to Robert Kennedy, the United States Attorney General and as follows:

Due to this corruption originating Paul Fletcher totally by law forced me out of business, out of my home, and out of the free state of Maryland from your office August 15, 1953 without allowing me an attorney at law to defend me, and as follows:

Due to this corruption originating caused Charles Allen McKoin to be poisoned instead of me and he died in minutes July 10, 1957. Due to this so-called murder crime of being hushed up caused James Bowden Ball's life to be threatened and caused me to take him to the FBI's office in Norfolk, Virginia as a federal parole violator, period of September 1, 1957 and I politely asked the FBI agents to federally imprison him for life and that they did September 20, 1957 and as follows:

Due to Marie, my former wife, getting remarried, I wish for a settlement with Paul Fletcher for $100,000 for damaging deformation of character, my free enterprise, home and family and constitutional rights of representation of due process of law in the free state of Maryland in closed courts and at your earliest convenience in the next thirty (30) days in Norfolk, Virginia.

And as follows: Therefore, I will take the Fifth Amendment for thirty (30) days if not a settlement, I will incriminate the corruption to Robert Kennedy, the United States Attorney General, why I took James Bowden Ball to the FBI's office.

And as follows: Due to no representation of a counsellor at law, I have to do the best I can.

With the very best of luck and personal regards, I am

Sincerly yours,

/s/ROBERT GRAHAM GRAY
7510-D Granby Street
Norfolk, Virginia

NOT SERVED WITH NOTICE TO APPEAR IN COURT ON JULY 30th, 1957

The Court instructs the Jury:

If you believe that the defendant, Mr. Gray, was not served with notice to appear in Court on the day and date that the non-support judgment in Maryland was rendered against him, and you further believe that the Maryland lawyer was not authorized to represent him in his absence then you shall find your verdict for the defendant.

D_____

NOT SERVED WITH DUE PROCESS OF LAW

Instruction No._____

THE COURT INSTRUCTS THE JURY:

One who has not been served with process may always show it, and in such a case he may show that any

lawyer who purported to represent him, did it without authority and as a consequence thereof may have the judgment set aside.

THE HUSBAND HAS THE RIGHT TO DETERMINE WHERE TO LIVE

The Court instructs the Jury:

That the husband has the right to determine where the married parties will reside. If a husband provides a suitable home and the wife refuses to move and join the husband then the wife, not the husband, is guilty of desertion.

D_____

PERSONAL JUDGMENT

The Court instructs the jury that a personal judgment must rest upon personal service of process, or upon voluntary appearance either in person or by some duly authorized agent, otherwise there is want of due process of law.

UNITED STATES CONSTITUTION

The Court instructs the Jury:

The provision in the United States Constitution that requires a state to give full faith and credit to a judgment of a sister State does not apply where the state rendering the original judgment was without jurisdiction.

D_____

_____

CONCLUSION

For the foregoing reasons it is respectfully submitted that the petition for a rehearing of the writ of certiorari should be granted.